

# McNamara Declaration

## Exhibit 22

September 19, 2024

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

DEVIN G. NUNES,

PLAINTIFF,

-against-

Case No.:  
22-cv-1633  
(PKC)

NBCUNIVERSAL MEDIA, LLC,

DEFENDANT.

-----X

DATE: September 19, 2024

TIME: 8:15 a.m. EST

- CONFIDENTIAL ATTORNEYS' EYES ONLY -

REMOTE DEPOSITION of ERIC ALAN  
"RICK" CRAWFORD, taken by the Defendant,  
pursuant to a Subpoena and to the Federal  
Rules of Civil Procedure, held remotely via  
Zoom Videoconference, before Suzanne  
Pastor, a Notary Public of the State of New  
York.

1 possibly establishing a press hit, if you  
2 will. Possibly an interview or something  
3 like that, if I recall. But I don't  
4 remember the full context of it.

5 Q. Mm-hmm. When you say "press  
6 hit," what do you mean by that?

7 A. So like an interview with a  
8 media outlet.

9 Q. And the communications with  
10 Mr. Langer, did you communicate with him  
11 directly or was that through a staffer?

12 A. I think that was through my  
13 press secretary. There was I think some  
14 e-mails exchanged between my press  
15 secretary and Jack Langer.

16 Q. Do you know if Mr. Langer  
17 communicated -- strike that.

18 Was your press secretary  
19 Ms. Sara Robertson?

20 A. That's correct.

21 Q. Do you know if Mr. Langer  
22 communicated any details about his receipt  
23 of the package to Ms. Robertson?

24 A. I don't know. I wasn't -- I  
25 didn't see any of the e-mail exchanges or

1 anything of that nature. So all I know is  
2 that I do believe that there was an  
3 exchange between the two of them.

4 Q. Did Mrs. Robertson brief you on  
5 the circumstances surrounding Mr. Nunes's  
6 receipt of the package?

7 A. No. Typically, because of the  
8 nature of the committee, typically I don't  
9 discuss things topically with my staff  
10 because this space that I'm in now is not  
11 cleared. So we typically don't have those  
12 conversations.

13 So if there was an exchange  
14 between myself and my press secretary on  
15 this topic, it was mostly to deal with  
16 scheduling. It wasn't -- it would not have  
17 been discussing the topic at hand or any of  
18 the specifics of any of that. So I think  
19 more than likely, in this case it would  
20 mostly have been a scheduling  
21 communication.

22 Q. Understood. So sitting here  
23 today, do you know any of the circumstances  
24 surrounding Mr. Nunes's receipt of this  
25 package?

September 19, 2024

1           A.       I don't. I don't -- I mean,  
2     the first I heard of it was in that meeting  
3     for which you have the transcript. And  
4     that was -- I remember the meeting. That  
5     exchange was confrontational and it was  
6     fairly terse, if you will. But I don't --  
7     that was the first I'd heard of it and  
8     really never had another conversation about  
9     it with anyone that I can recall.

10                   And I certainly didn't know --  
11     I didn't know the name of the person in  
12     question until you showed the transcript.  
13     I just didn't recall it.

14           Q.       Understood. Do you know if  
15     Mr. Nunes ever discussed his receipt of the  
16     package during a Republican caucus meeting  
17     of HPSCI?

18           A.       Not that I can recall.

19           Q.       Do you know sitting here today  
20     whether Mr. Nunes -- what Mr. Nunes did  
21     with the package upon its receipt?

22           A.       I have no idea. I'm assuming,  
23     but I don't know, I'm assuming that it was  
24     given the appropriate attention from the  
25     standpoint of any time a member receives a

September 19, 2024

1 package. I get packages from time to time  
2 at my official office and it has to go  
3 through I think as long as a two-week  
4 security screening before it comes --  
5 actually comes to my office.

6 So I'm assuming that's the way  
7 it was treated, but I don't know. I was  
8 not read into the disposition of a package.

9 Q. And sitting here today, you  
10 have no reason to believe that at one point  
11 you were aware of it.

12 A. I'm not sure I understand what  
13 you're asking me.

14 Q. Meaning is it possible that  
15 you're just forgetting a conversation but  
16 you just --

17 A. It's certainly possible.

18 Q. Sitting here today you have no  
19 specific recollection of any conversation  
20 outside of the committee meeting concerning  
21 the package.

22 A. That's correct.

23 MR. CHASE: Ali, can you pull  
24 up the Breitbart article. Actually,  
25 before we show that, Ali, let's just

September 19, 2024

1 ask Mr. Crawford a couple of  
2 questions.

3 Q. Mr. Crawford, the press hit  
4 that you ultimately did was with Breitbart,  
5 am I correct?

6 A. I'm not sure that was a  
7 scheduled press hit. If I recall, the  
8 interaction I had with Breitbart was as I  
9 was walking down the Capitol steps after a  
10 vote series. So I don't know that that  
11 was -- if I remember correctly, I'm not  
12 sure that that was a scheduled interview.  
13 It was one of those -- you have reporters  
14 outside of the Capitol all the time,  
15 outside of the House chamber. And if I  
16 recall, that was the nature of that  
17 encounter with that particular reporter. I  
18 don't believe that was a scheduled press  
19 hit.

20 Q. Interesting. Were any other  
21 press present during that press -- during  
22 that encounter in the hallway?

23 A. I'm certain that there were,  
24 but I'm not sure that they were paying  
25 attention to our conversation because it

1 was kind of a walk-and-talk dynamic. It  
2 wasn't as though I was standing there  
3 around a press gaggle. So there's always  
4 media present when you walk out of the  
5 chamber and down the Capitol steps.

6 But if I recall correctly, and  
7 I think this is the case, this was as I was  
8 walking down the steps headed back to my  
9 office where I encountered this reporter,  
10 and there was an exchange.

11 Q. I see.

12 MR. CHASE: Ali, let's pull up  
13 the e-mail exchange that was  
14 previously marked as Exhibit 16.

15 Q. Mr. Crawford, I'm going to  
16 represent to you that this has been  
17 previously marked in this case as Exhibit  
18 16. This is a July 29, 2020 e-mail  
19 exchange between Jack Langer and  
20 Ms. Robertson. This is the same date as  
21 the hearing, am I correct? July 29, 2020.

22 A. It appears to be.

23 MR. CHASE: Ali, if you could  
24 scroll down.

25 Q. So the first e-mail in the



1 committee, Crawford told Breitbart News.  
2 So obviously Devin Nunes didn't comment on  
3 that. Here's the thing. It's standard  
4 practice that if you get a package from  
5 unknown source in a foreign country, it's  
6 probably a good idea to call the FBI and  
7 let them handle it and not handle those  
8 packages and don't open them and go hey, I  
9 wonder what this is. I guess it's  
10 Christmas came early this year. No, you  
11 follow the protocol, which is you turn that  
12 over to the FBI. That's what happened."

13 Did I read that correctly, sir?

14 A. It appears that you have.

15 Q. So I'm going to ask you a few  
16 questions about that. When you say --  
17 well, first of all, do you recall making  
18 this statement to Breitbart?

19 A. I don't recall making the  
20 statement, but that appears to be accurate.

21 Q. When you say "Devin Nunes  
22 didn't" -- "so obviously Devin Nunes didn't  
23 comment on that," sitting here today, why  
24 do you think it was obvious that he didn't  
25 comment on that?

September 19, 2024

1           A.       Because as I recall, and I  
2       think the transcript would probably reflect  
3       this, Mr. Maloney was trying to engage in  
4       some form of -- I don't want to say taunt,  
5       but almost goad the ranking member into  
6       engaging in a conversation or some  
7       discourse that I felt was inappropriate  
8       given that that item was not on the agenda  
9       for the business meeting, number 1.

10                 And number 2, it's typically  
11       not what members do in a business meeting,  
12       is to call out, if you will, a colleagues  
13       on the committee and suggest that they've  
14       done something that they shouldn't have  
15       done. If there was a problem, and there's  
16       probably a better way to go about it than  
17       to interject that into a business meeting  
18       with that having been placed on the agenda.

19           Q.       Aside from decorum issues -- is  
20       that a fair way of describing what you just  
21       said? Decorum and civility?

22           A.       I would agree with that.

23           Q.       Is there a bases in the law for  
24       not responding to Mr. Maloney's entreaty  
25       there?

September 19, 2024

1           A.       I don't think there's  
2       necessarily a basis in the law for not  
3       responding. I think more than anything,  
4       it's probably common sense that you don't  
5       take the bait, if you will. And that is to  
6       say, not get drawn into some discourse that  
7       was irrelevant to the topic of the business  
8       meeting.

9                   Clearly Mr. Maloney was hostile  
10      to the ranking member in that exchange.  
11      And that was -- as I recall, that's what  
12      stuck out to me the most, was the nature of  
13      his tone, and particularly as it applies to  
14      the fact that the chairman and ranking  
15      members of committees are typically given a  
16      high degree of deference due to their  
17      positions on the committee. So I thought  
18      it was unseemly for him to act the way he  
19      did in the committee. That's just my  
20      opinion.

21           Q.       How did this topic come up  
22      outside of the business meeting -- strike  
23      that.

24                   Do you know if this topic came  
25      up outside of the business meeting?

1           A.       Not that I recall. I mean,  
2       nothing that I was privy to that I can  
3       recall.

4           Q.       And in that circumstance, had  
5       it come up outside of the business meeting,  
6       do you think it would have been appropriate  
7       for Mr. Nunes to respond to the question in  
8       that environment?

9           A.       I'm not sure that I understand  
10      the question. Can you restate that for me  
11      so I can get a better understanding --

12          Q.       Of course. I could have  
13      phrased that better.

14                  If Mr. Maloney had come to  
15      Mr. Nunes's office and asked him about the  
16      receipt of the package, in that  
17      circumstance would it have been appropriate  
18      for Mr. Nunes to respond?

19          A.       You know, I don't know. I  
20      think that's a question that would be  
21      better directed to Mr. Nunes. I mean, now  
22      you're talking about member-to-member  
23      communications. Direct member-to-member  
24      communications.

25                  So not really knowing the

September 19, 2024

1 nature of the package in question or who it  
2 was from, that's not -- I'm not prepared to  
3 render any kind of judgment on what the  
4 appropriate response would be between  
5 members engaging in some question about a  
6 package. That's something I think that  
7 Mr. Nunes would have to answer.

8 Q. Fair enough.

9 So in the last sentence of your  
10 quote you say, "No, you follow the  
11 protocol, which is you turn that over to  
12 the FBI. That's what happened."

13 What did you mean by that?

14 A. Well, I think, if I recall,  
15 probably that's just -- as I would do if I  
16 received a package from a foreign source, I  
17 would turn that over to the FBI. And I  
18 assume that's what happened. I just didn't  
19 think that there was anything more to it  
20 than that.

21 So based on the context of what  
22 I'm reading there and the best of my  
23 recollection, I think I was trying to  
24 communicate that if there had been a  
25 package received from a foreign source, the

1 proper protocol would have been to turn it  
2 over to the FBI. And to my knowledge,  
3 that's what happened.

4 Q. But you have -- you never had a  
5 communication with Mr. Nunes about that,  
6 correct?

7 A. Correct.

8 Q. And you never spoke with any of  
9 his staffers about that, correct?

10 A. Nothing that I can recall. I  
11 don't recall this being a topic of  
12 conversation outside of the SCIF, with the  
13 exception of that encounter with the  
14 Breitbart reporter.

15 Q. And you never spoke with the  
16 FBI about that, correct?

17 A. I never did, no.

18 Q. So other than your assumption,  
19 you had no independent basis for the  
20 statement that Mr. Nunes -- that that's  
21 what happened in this circumstance, is that  
22 correct?

23 A. That's correct.

24 Q. Let's take a quick break,  
25 Mr. Crawford. It's going to be a very

September 19, 2024

1 C E R T I F I C A T E

2

STATE OF NEW YORK )

3

: SS.:

COUNTY OF DELAWARE )

4

5 I, SUZANNE PASTOR, a Notary Public

6 for and within the State of New York, do

7 hereby certify:

8 That the witness whose examination is

9 hereinbefore set forth was duly sworn and

10 that such examination is a true record of

11 the testimony given by that witness.

12 I further certify that I am not

13 related to any of the parties to this

14 action by blood or by marriage and that I

15 am in no way interested in the outcome of

16 this matter.

17 IN WITNESS WHEREOF, I have hereunto

18 set my hand this day, September 25, 2024.

19

20

*Suzanne Pastor*

21

SUZANNE PASTOR

22

23

24

25